

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY

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D.M. SABIA & COMPANY, INC, :: Index No. 08-03646 (PGS)(ES)
Plaintiff, ::
-against- ::
CANDOR CONSTRUCTION GROUP, INC. :: STIPULATION AND
and JPMORGAN CHASE BANK, N.A., :: ~~REAGAN~~ ORDER
Defendants. ::
::
-----X
JPMORGAN CHASE BANK, N.A., ::
::
Third-Party Plaintiff, ::
::
-against- ::
DENNIS ULVERSOY and ::
BEDMINSTER MEDICAL PLAZA LLC, ::
::
Third-Party Defendants. ::
-----X

WHEREAS, in the instant above-captioned action (the "Instant Action"), defendant and third-party plaintiff JPMorgan Chase Bank, N.A. ("JPMC") brought cross-claims and third-party claims against defendant Candor Construction Group Inc. ("Candor"), and third-party defendants Dennis Ulversoy ("Ulversoy") and Bedminster Medical Plaza ("Bedminster") (collectively, the "Candor Defendants"), concerning a construction project located in Hamilton Square, New Jersey; and

WHEREAS, in an action captioned *JPMC v. Candor, Dennis Ulversoy, and Bedminster Medical Plaza*, Index No. 08-3836 (WHW) (CCC) (the "Main Candor Action"), JPMC brought similar claims against the Candor Defendants based on three other New Jersey construction projects; and

WHEREAS, in the Instant Action the Court has scheduled a hearing regarding JPMC's proof of its cross-claims and third-party claims and the damages resulting thereon for April 27, 2010; and

WHEREAS, in the Main Candor Action the Court has granted a motion for default against the Candor Defendants and scheduled an inquest hearing regarding proof of damages on the cross-claims and third-party claims brought by JPMC in the Main Candor Action against the Candor Defendants for June 7, 2010; and

WHEREAS the issues to be determined at the hearings in both the Instant Action and the Main Candor Action are substantially similar and require the determination of identical issues of law; and

WHEREAS, with the exception of Plaintiff D.M. Sabia & Company Inc. ("Sabia"), the sole plaintiff in the instant action, the Candor Main Action and the Instant Action involve the same parties;

IT IS HEREBY STIPULATED AND AGREED, by and among the undersigned, counsel for JPMC, counsel for the Candor Defendants, and counsel for Sabia (constituting all parties in the Instant Action and the Candor Main Action), that the cross-claims and third-party claims raised by JPMC against the Candor Defendants should be consolidated into the Main Candor Action, such that the only claims remaining in the Instant Action should be those raised by Sabia as part of its Complaint, filed on or about July 21, 2008;

IT IS FURTHER STIPULATED AND AGREED, that the issues of proof and damages scheduled to be heard in the Instant Action on April 27, 2010 should be consolidated into the hearing scheduled in the Main Candor Action for June 7, 2010, and should be determined by the Court, under the caption of the Main Candor Action on or after that date;

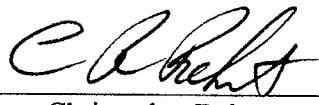
IT IS FURTHER STIPULATED AND AGREED, that this stipulation may be executed in counterparts and by way of facsimile.

Dated: New York, New York
April 20, 2010

DAVID K. MARX, JR., ESQ.

SATTERLEE STEPHENS BURKE &
BURKE LLP

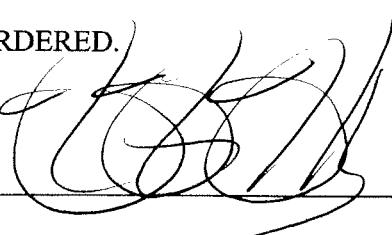
By: _____
David K. Marx, Jr., Esq.
3108 Route 10 West
Suite 8
Denville, NJ 07834
Attorneys for Defendant
Candor Construction Group, Inc.,

By: 
Christopher Belmonte, Esq.
230 Park Avenue
Suite 1130
New York, NY 10169
Attorneys for Defendant JPMorgan Chase
Bank, N.A.

DAVIS, BUCCO & ARDIZZI

By: _____
Joseph R. Meiss, Esq.
10 E. 6th Avenue, Suite 100
Conshohocken, PA 19428
Attorney for D.M. Sabia & Company, Inc.

SO ORDERED.



United States District Judge

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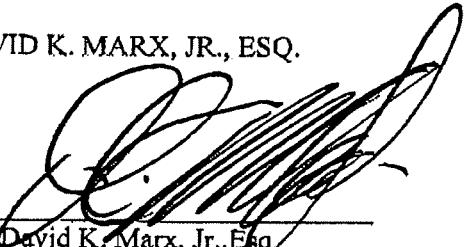
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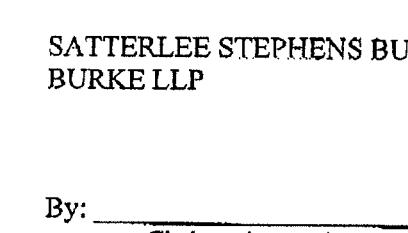
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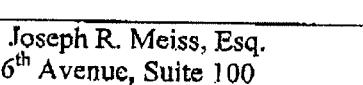
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